THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.6826 OF 2006

Between:

Smt.K.Vimala Devi and another ..Petitioners

And

The State of Andhra Pradesh, represented by the Collector Ranga Reddy District, office at Lakdikapul, Hyderabad. and another

..Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.6826 OF 2006

ORDER:

The petitioners, who are two in number, claim that they have purchased the land admeasuring Acs.1.27 guntas each in survey No.33-A situated at Gopanpally Village of Serilingampally Mandal in Ranga Reddy District from one Smt. C. Bharathi Devi under two registered sale deeds, dated 31.10.1996. After purchasing the land, they have approached the Mandal Revenue Officer and got the property mutated in their name in the revenue records. They claim that they are in possession of the property.

The second respondent herein initiated action under the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 ('the Act', for brevity), and after issuing a notice to Smt.N.Subbayamma, the vendor of Smt.C.Bharathi Devi, who is the petitioners' vendor, passed orders bearing No.B/1119/2005, dated 10.11.2005, directing resumption of the land to the Government on the ground that Smt.N.Subbayamma purchased the land admeasuring Acs.3.14 guntas in survey No.33 from the assignee in contravention of the provisions of Section 3 of the Act. The petitioners allege that no notice was issued to them, and therefore, the order is unsustainable.

The matter was initially listed before this Court on 06.04.2006. At the request of the learned Assistant Government Pleader for Revenue (Assignment), the matter was adjourned to enable him to get instructions. Today, after getting instructions, the learned Assistant Government Pleader submits that notice was not issued to the petitioners. Though notice was issued to Subbayamma, she did not submit any explanation. For this reason alone, the impugned order insofar as the petitioners are concerned, cannot be sustained. Therefore, the matter is remitted to the second respondent to issue notice to the petitioners and pass appropriate orders after considering

their explanation, if they submit the same in time.

The Writ Petition, with the observation, is accordingly disposed of. There shall be status quo as on today. No costs.

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(V.V.S.RAO,J)

10.04.2006
GJ